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BYLINE: Patricia Holt

BODY:

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Of course, using selective information to prove one's case is common practice among JFK assassination authors. But Posner wants to distance himself from all others; he wants his book to be regarded as so fair and complete that after reading it, we'll all say, OK, that's the end of it -- "case closed."

But take the case of Failure Analysis Associates, the Menlo Park firm that used computer enhancements to reconstruct the JFK assassination for a 1992 study. Posner refers to that study repeatedly but does not explain that Failure Analysis was commissioned by the American Bar Association to create its reconstruction for the ABA's mock trial of Lee Harvey Oswald in San Francisco last year. The trial ended with a hung jury.

According to Angela Meyer of Failure Analysis, "Our job for the ABA was to provide evidence and expert witnesses for both the defense and the prosecution." Posner appears to draw from testimony for the prosecution's case, not the defense's case.

Although Failure Analysis was not asked to provide its own opinion of Oswald's guilt or innocence, the company's CEO, Roger McCarthy (who testified for the defense at the mock trial), offered what host Brian Banmiller called "a startling conclusion" during the TV program "On the Money" on July 31.

Failure Analysis, announced Banmiller, "made a compelling argument that Lee Harvey Oswald did not act alone." According to McCarthy, the gunman "gave up some awfully good shots to take some awfully bad shots" to "(drive) the quarry into a second shooting" by other assassins.

Banmiller then remarked, "Few sharpshooters, much less Oswald, could hit a moving target taking shots as rapidly as Oswald supposedly did." He asked McCarthy, "Can it be done?" McCarthy responded, "I can't. I'm the best shot I know. I can't do that."

Banmiller concluded, "Thirty years later, no one, not even Failure Analysis, is ready to say conclusively who killed President Kennedy. " Case open.

LANGUAGE: ENGLISH

Copy to = Hal Weiner

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BETWEEN THE LINES *Patricia Holt* — S.F. Chronicle Review — 9/6/92

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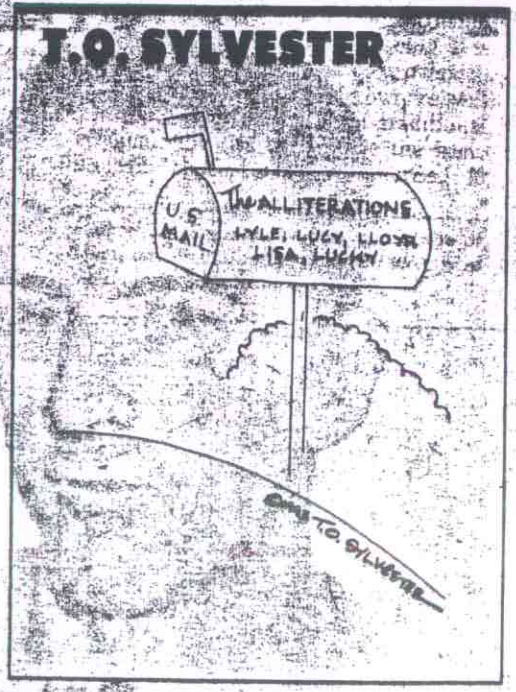
Patricia Holt is book editor for The Chronicle.



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